

## CCRB INVESTIGATIVE RECOMMENDATION

|  |                          |                           |   |                     |
|--|--------------------------|---------------------------|---|---------------------|
| Investigator:<br>Conor O'Shea                    | Team:<br>Squad #6        | CCRB Case #:<br>201901615 | <input type="checkbox"/> Force <input checked="" type="checkbox"/> Discourt. <input type="checkbox"/> U.S.<br><input checked="" type="checkbox"/> Abuse <input type="checkbox"/> O.L. <input type="checkbox"/> Injury |                     |
| Incident Date(s)<br>Friday 02/08/2019 12:40 AM   | 18 Mo. SOL<br>08-08-2020 | EO SOL<br>03-25-2021      | Location of Incident:<br><br>South-East corner of<br>Bedford Avenue and<br>President Street; 71st<br>Precinct stationhouse  | Precinct:<br><br>71 |
| Date/Time CV Reported<br>Wed, 02/13/2019 1:30 PM | CV Reported At:<br>IAB   | How CV Reported:<br>Phone | Date/Time Received at CCRB<br>Thu, 02/21/2019 11:07 AM  |                     |

| Complainant/Victim | Type                  | Home Address |
|--------------------|-----------------------|--------------|
| 1. A ■■■ T ■■■     | Reporting Non-Witness | ■■■■■        |
| 2. L ■■ C ■■■■     | Victim                | ■■■■■        |
| 3. K ■■■ J ■■■■    | Victim                | ■■■■■        |

| Subject Officer(s)               | Shield     | TaxID      | Command    |
|----------------------------------|------------|------------|------------|
| 1. POM Clifford Scanlon          | 06416      | 961253     | 071 PCT    |
| 2. DTS M [REDACTED] G [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| 3. POM J [REDACTED] N [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| 4. SGT J [REDACTED] N [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |

| Officer(s)                        | Allegation   | Investigator Recommendation      |
|-----------------------------------|--|----------------------------------|
| A . DTS M [REDACTED] G [REDACTED] | Abuse of Authority: At the intersection of Bedford Avenue and President Street in Brooklyn, Detective M [REDACTED] G [REDACTED] stopped the vehicle in which L [REDACTED] C [REDACTED] and K [REDACTED] J [REDACTED] were occupants. | A . Alleged Victim Uncooperative |
| B . POM Clifford Scanlon          | Abuse of Authority: At the intersection of Bedford Avenue and President Street in Brooklyn, Police Officer Clifford Scanlon stopped the vehicle in which L [REDACTED] C [REDACTED] and K [REDACTED] J [REDACTED] were occupants.     | B . Alleged Victim Uncooperative |
| C . DTS M [REDACTED] G [REDACTED] | Abuse of Authority: At the intersection of Bedford Avenue and President Street in Brooklyn, Detective M [REDACTED] G [REDACTED] asked about L [REDACTED] C [REDACTED] immigration status.  | C . Alleged Victim Unavailable   |
| D . DTS M [REDACTED] G [REDACTED] | Abuse of Authority: At the intersection of Bedford Avenue and President Street in Brooklyn, Detective M [REDACTED] G [REDACTED] questioned L [REDACTED] C [REDACTED]   | D . Alleged Victim Unavailable   |
| E . POM Clifford Scanlon          | Abuse of Authority: At the intersection of Bedford Avenue and President Street in Brooklyn, Police Officer Clifford Scanlon searched the vehicle in which L [REDACTED] C [REDACTED] and K [REDACTED] J [REDACTED] were occupants.    | E . Alleged Victim Uncooperative |
| F . SGT J [REDACTED] N [REDACTED] | Abuse of Authority: At the intersection of Bedford Avenue and President Street in Brooklyn, Sergeant J [REDACTED] N [REDACTED] searched the vehicle in which L [REDACTED] C [REDACTED] and K [REDACTED] J [REDACTED] were occupants. | F . Alleged Victim Uncooperative |
| G . DTS M [REDACTED] G [REDACTED] | Discourtesy: Inside of the 71st Precinct stationhouse, Detective M [REDACTED] G [REDACTED] spoke discourteously to K [REDACTED] J [REDACTED]   | G . Alleged Victim Uncooperative |

| Officer(s)                        | Allegation   | Investigator Recommendation      |
|-----------------------------------|--|----------------------------------|
| H . POM J [REDACTED] N [REDACTED] | Abuse of Authority: Inside the 71st Precinct stationhouse, Police Officer J [REDACTED] N [REDACTED] strip-searched K [REDACTED] J [REDACTED] | H . Alleged Victim Uncooperative |
| I . DTS M [REDACTED] G [REDACTED] | Discourtesy: Inside the 71st Precinct stationhouse, Detective M [REDACTED] G [REDACTED] spoke discourteously to K [REDACTED] J [REDACTED]    | I . Alleged Victim Uncooperative |

### Case Summary

On February 13, 2019, A■■ T■■ called the IAB Command Center and filed a complaint on behalf of her 20-year-old son, L■■ C■■ and his 20-year-old friend, K■■ J■■ about an incident she did not witness, which generated IAB log #19-6668. This case was received at the CCRB on February 21, 2019.

Searches of the following databases for Mr. C■■ and Mr. J■■ contact information were conducted: LexisNexis, CLEAR, the NYPD's Booking and Arraignment Disposition System (BADs), the Office of Court Administration (OCA), and the CCRB's Complaint Tracking System (CTS). These searches revealed two possible phone numbers and one possible additional mailing address for Mr. C■■ along with two possible phone numbers and two possible addresses for Mr. J■■

On February 26, 2019, the phone number listed in Mr. C■■ arrest report for this incident was called, but there was no answer and an automated message stated that the number was not in service. On March 1, 2019, Ms. T■■ was called. She confirmed her and Mr. C■■ contact information, and stated that all contact attempts to her son, as a minor, should go through her. Ms. T■■ scheduled a call back for March 4, 2019. However, due to severe weather, the CCRB office was closed on March 4, 2019, and advanced notice of the cancellation could not be provided to Ms. T■■ On March 6, 2019, Ms. T■■ was called. She requested a call back after 5:00 p.m. Ms. T■■ was called back twice later that night, but there was no answer and a voicemail message could not be left. Between March 12, 2019, and April 26, 2019, Ms. T■■ was called eight times, but no messages could be left.

Between April 2, 2019, and April 22, 2019, four calls were placed to Mr. C■■ phone number listed on the arrest report for this incident. A voicemail message was left on each occasion. Between April 2, 2019, and April 22, 2019, Mr. C■■ was called three times via the number listed in previous arrest reports. Each time, this number was not in service.

Between February 26, 2019, and March 12, 2019, two letters were mailed to each of Mr. C■■ possible mailing addresses. None of these letters were returned as undeliverable. Mr. C■■ does not appear to have an email address. On April 23, 2019, and June 27, 2019, searches of the DOC for NYC and DOC for NYS databases revealed that Mr. C■■ was not incarcerated. To date, Mr. C■■ has never contacted the CCRB.

Between April 2, 2019, and April 22, 2019, both potential phone numbers for Mr. J■■ were called four times with no answer. On each occasion, the first number provided an automated message stating that the number was not accepting calls. On each occasion, the second number only provided a constant beeping tone.

On April 18, 2019, a search of the NYPD'S BADs database revealed that Mr. J■■ had been arrested on new charges for an active warrant from New Jersey. After a request for a call back, Mr. J■■ criminal defense attorney, Erin Bannister of the Legal Aid Society, called the CCRB and left a voicemail message stating that Mr. J■■ had just been extradited to New Jersey, and that she had informed him of the CCRB's efforts to contact him. On May 13, 2019, the Burlington County Jail—the facility at which Mr. J■■ was being detained in New Jersey—was called. However, it was later confirmed that Mr. J■■ had been released from custody on May 10, 2019, and an additional phone number for Mr. J■■ was obtained.

That same day, Mr. J■■ was called. A woman answered and identified herself as his mother, C■■ J■■ and took a message. Later that night, Mr. J■■ called the CCRB after business hours and left a message, stating that he could be reached at his mother's phone number. On May 20, 2019, Mr. J■■ was called, confirmed his contact information, confirmed that the

only phone number at which he could be reached was his mother's phone number, and scheduled an interview at the CCRB for May 21, 2019. A reminder text message was sent to Mr. J. [REDACTED] confirmed cell phone number. Shortly thereafter, Mr. J. [REDACTED] called the CCRB but did not leave a message. Mr. J. [REDACTED] was called back and rescheduled his interview for May 29, 2019.

On May 29, 2019, Mr. J. [REDACTED] failed to appear for his CCRB interview and did not provide prior notice. That same day, Mr. J. [REDACTED] was called but there was no answer and a message was left. Later that same day, Mr. J. [REDACTED] mother called the CCRB and stated that Mr. J. [REDACTED] would be available for phone calls at, or after, 7:00 p.m. Mr. J. [REDACTED] mother did confirm that she personally reminded her son about the CCRB interview he missed. On June 3, 2019, shortly before 9:00 p.m., Mr. J. [REDACTED] was called, but his mother confirmed that he was not home and took a message. On June 5, 2019, Mr. J. [REDACTED] mother called the CCRB and stated that she had coordinated a time with Mr. J. [REDACTED] to be available for a phone call at approximately 8:00 p.m. that day, and scheduled a call back at that time. Although a call was returned as discussed, Mr. J. [REDACTED] was not home, and Ms. J. [REDACTED] took a message. On June 21, 2019, Mr. J. [REDACTED] was called, but he was unavailable and his mother took a message.

On June 24, 2019, Mr. J. [REDACTED] was called and a message was left. Ms. J. [REDACTED] called back and stated that Mr. J. [REDACTED] would call the CCRB. He did, and scheduled a field interview for June 27, 2019. On June 27, 2019, Mr. J. [REDACTED] was called as requested to remind him of his field interview, and his mother said she would remind him. On June 27, 2019, Mr. J. [REDACTED] failed to appear for his field interview and did not provide prior notice. Later that day, his mother called the CCRB and was informed, and said she understood, that if Mr. J. [REDACTED] did not contact the CCRB to reschedule his interview by July 2, 2019, the complaint may be closed without further investigation. By July 2, 2019, however, Mr. J. [REDACTED] did not contact the CCRB.

Between April 4, 2019, and June 14, 2019, five letters were mailed to Mr. J. [REDACTED] confirmed mailing address. To date, none have been returned as undeliverable. Mr. J. [REDACTED] does not have an email address.

On June 27, 2019, NYC and NYS inmate lookup database searches revealed that Mr. J. [REDACTED] is not incarcerated.

The investigation obtained six body-worn camera video files.

Given that Mr. J. [REDACTED] became uncooperative with the investigation despite the contact attempts detailed above, it is therefore recommended that **Allegations A, B, and E–H** be closed as ***alleged victim uncooperative***. Given that the investigation was unable to establish contact with Mr. C. [REDACTED] despite the contact attempts detailed above, it is therefore recommended that **Allegations C and D** be closed as ***alleged victim unavailable***.

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Squad No.: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Title & Name Date

Squad Leader: \_\_\_\_\_  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_  
Signature Print Title & Name Date